

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALI MUSAID AHMED MUTHANA,

Plaintiff,

v.

Case No. 23-12869

PAUL SCHREIBER, *et al.*,

Sean F. Cox

United States District Court Judge

Defendants.

ORDER

ADOPTING REPORT AND RECOMMENDATION (ECF NO. 21)
AND GRANTING DEFENDANTS' MOTION TO DISMISS

Plaintiff filed this civil rights action, pursuant to 42 U.S.C. § 1983, against Defendants on November 13, 2023. This matter was referred to Magistrate Judge Curtis Ivy, Jr. for all pretrial proceedings.

On April 4, 2024, Defendants Paul Schreiber and Elizabeth Popiel filed a Motion to Dismiss. (ECF No. 15). In a Report and Recommendation (“R&R”) issued on September 17, 2024, Magistrate Judge Ivy recommends that “Defendants’ motion to dismiss (ECF No. 15) be GRANTED, and that Plaintiff’s access-to-the-courts claim be dismissed against both Defendants and all claims be dismissed against Schreiber.” (*Id.* at 10). The R&R explains that “Defendants do not challenge Plaintiff’s retaliation claim against Popiel” and, therefore, that claim will proceed. (*Id.*).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a magistrate judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R.

Here, however, the Court extended the time to file objections, until October 24, 2024, at Plaintiff's request. The extended time permitted for filing objections to the Report and Recommendation has passed and no objections were filed.

Accordingly, the Court **ADOPTS** the September 17, 2024 Report and Recommendation and **ORDERS** that Defendants' Motion to Dismiss (ECF No. 15) is **GRANTED** and Plaintiff's access-to-the-courts claim is **DISMISSED** against both Defendants and all claims are **DISMISSED** against Defendant Schreiber.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: November 19, 2024

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 19, 2024, by electronic and/or ordinary mail.

s/Jennifer McCoy
Case Manager